

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Derrik Anthony Kuhns
aka Derrick A. Kuhns, aka Derrik A. Kuhas
Staci Ann Kuhns
aka Stacey A. Kuhns, aka Stacie A. Kuhns, dba Staci's Cookies,
Cakes and Catering
Debtor(s)

Bankruptcy Case No.: 16-21971-GLT
Issued Per 9/7/2017 Proceeding
Chapter: 13
Docket No.: 188 – 153, 167, 169
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated July 19, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,972.00 as of September, 2017. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 9 of Citimortgage with payment changes implemented .
- ☒ H. Additional Terms: A Fee Application is needed if any fee (including retainer) exceeds \$4,000.00 including any fees paid to prior counsel.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

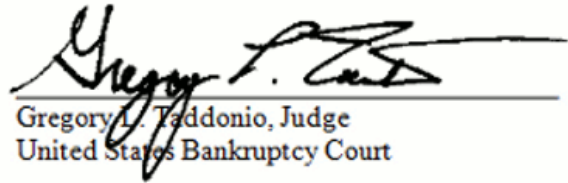
C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

- A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.
- B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).
- C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.
- D.** Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.
- E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.
- F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: September 8, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

Imaged Certificate of Notice Page 4 of 6

United States Bankruptcy Court
Western District of PennsylvaniaIn re:
Derrik Anthony Kuhns
Staci Ann Kuhns
DebtorsCase No. 16-21971-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
Form ID: 149Page 1 of 3
Total Noticed: 68

Date Rcvd: Sep 08, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 10, 2017.

db/jdb
r Derrik Anthony Kuhns, Staci Ann Kuhns, 148 Ritenour Ln, Latrobe, PA 15650-3929
+Barbara A. Fichtner, Northwood Realty Services, 801 N. Greengate Road, Greensburg, PA 15601-7460
cr +DITECH FINANCIAL LLC, 14841 Dallas Parkway, Suite 300, Dallas, TX 75254-7883
cr +Peoples Natural Gas Company, LLC, Attn: Dawn Lindner, 225 North Shore Drive, Pittsburgh, PA 15212-5861

14249207 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
(address filed with court: Bank of America, PO Box 982238, El Paso, TX 79998-2238)
14249208 #Bill Arnold, 508 Braden Ave, Derry, PA 15627-1724
14236295 +Brett A. Solomon, Esquire, 1500 One PPG Pl, Pittsburgh, PA 15222-5416
14249209 Capital One, PO Box 30253, Salt Lake City, UT 84130-0253
14249210 Capital One Bank USA, NA, PO Box 30281, Salt Lake City, UT 84130-0281
14249211 Capital One Bank, USA, NA, PO Box 71083, Charlotte, NC 28272-1083
14249212 Capital One Bank, USA, NA, PO Box 30285, Salt Lake City, UT 84130-0285
14249214 Chase Bank USA, NA, PO Box 15298, Wilmington, DE 19850-5298
14249215 Chase/Bank One Card Services, PO Box 15298, Wilmington, DE 19850-5298
14266641 CitiMortgage, Inc., P.O. Box 688971, Des Moines, IA 50368-8971
14249216 +Citibank, N.A., 701 E 60th St N, Sioux Falls, SD 57104-0493
14236296 Citibank, N.A., PO Box 6243, Sioux Falls, SD 57117-6243
14236297 Citibank, N.A., PO Box 6181, Sioux Falls, SD 57117-6181
14308897 Citibank, N.A., P O Box 6030, Sioux Falls, SD 57117-6030
14236298 Citibank, N.A., PO Box 78015, Phoenix, AZ 85062-8015
14236299 Citimortgage, PO Box 6243, Sioux Falls, SD 57117-6243
14236301 Citimortgage, PO Box 78015, Phoenix, AZ 85062-8015
14236300 Citimortgage, PO Box 6205, Sioux Falls, SD 57117-6205
14249218 Comenity Bank/DMSTCTNS, PO Box 182789, Columbus, OH 43218-2789
14249219 Comenity Bank/Fashion Bug, PO Box 182789, Columbus, OH 43218-2789
14249221 Credit Protection Assoc., 13355 Noel Rd Ste 2100, Dallas, TX 75240-6837
14236302 Daniel Santucci, 1 International Plz Fl 5, Philadelphia, PA 19113-1510
14248748 +First Commonwealth Bank, c/o Brett A. Solomon, Esquire, Tucker Arensberg, P.C., 1500 One PPG Place, Pittsburgh, PA 15222-5413
14236304 HSBC Bank USA, NA, c/o PNC Bank, NA, 3232 Newmark Dr, Miamisburg, OH 45342-5421
14236305 Jessica N. Manis, Esquire, 8 Neshaminy Interplex Dr Ste 215, Trevese, PA 19053-6980
14249224 #Jessica Shearer, 504 Braden Ave, Derry, PA 15627-1724
14318733 +LSF9 MASTER PARTICIPATION TRUST, CALIBER HOME LOANS, INC., 13801 WIRELESS WAY, OKLAHOMA CITY, OK 73134-2500
14318731 +LSFP MASTER PARTICIPATION TRUST, CALIBER HOME LOANS, INC., 13801 WIRELESS WAY, OKLAHOMA CITY, OK 73134-2500
14249226 Maruin Slee, PO Box 196, Robinson, PA 15949-0196
14249227 Michael J. Witherel, Esquire, 966 Perry Hwy, Pittsburgh, PA 15237-2107
14236306 Michael T. McKeever, Esquire, 701 Market St Ste 5000, Philadelphia, PA 19106-1541
14249229 Municipal Authority of Derry Borough, 620 N Chestnut St, Derry, PA 15627-1728
14261603 ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096
(address filed with court: Nationstar Mortgage LLC, P.O. Box 619096, Dallas, TX 75261-9741)
14236308 Nationstar Mortgage, PO Box 619094, Dallas, TX 75261-9094
14247562 +Nationstar Mortgage, LLC, c/o Alexander K. Lee, ALDRIDGE PITE, LLP, 4375 Jutland Drive, Suite 200, P.O. Box 17933, San Diego, CA 92177-7921
14249230 Nicole B. Labletta, Esq., 111 Woodcrest Rd Ste 2000, Cherry Hill, NJ 08003-3620
14236309 PNC Bank, 3232 Newmark Dr, Miamisburg, OH 45342-5421
14311729 +PNC Bank, N.A., 3232 Newmark Drive, Miamisburg, OH 45342-5421
14318545 +PNC Bank, National Association, c/o PNC Mortgage, a division of PNC Bank, Attn: Bankruptcy, 3232 Newmark Drive, Miamisburg, OH 45342-5421
14249231 Peak Slee, PO Box 196, Robinson, PA 15949-0196
14249232 Peoples Gas, PO Box 644760, Pittsburgh, PA 15264-4760
14249233 Peoples Natural Gas, 375 N Shore Dr, Pittsburgh, PA 15212-5866
14236310 Robert W. Williams, Esquire, 1 E Stow Rd, Marlton, NJ 08053-3118
14236311 Romel L. Nicholas, Esquire, 519 Court Pl, Pittsburgh, PA 15219-2002
14249235 Seventh Avenue, 1112 7th Ave, Monroe, WI 53566-1364
14267439 +Seventh Avenue, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
14249236 #Shawn Evans, 816 W 1st Ave, Derry, PA 15627-1404
14267440 +Stoneberry, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
14249239 Tawnya Davis, 102 Campbell Ave, Connellsville, PA 15425-2801
14249240 Theresa Cherio, PO Box 45, Robinson, PA 15949-0045
14265942 +Unity Township Municipal Authority, ATTN: Joseph G. Lucas, Esquire, 519 Court Place, Pittsburgh, PA 15219-2002
14236312 Unity Township Municipal Authority, PO Box 506, Pleasant Unity, PA 15676-0506

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14315383 E-mail/PDF: resurgentbknofications@resurgent.com Sep 09 2017 02:01:53
Ashley Funding Services, LLC its successors and, assigns as assignee of Laboratory, Corporation of America Holdings, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587

District/off: 0315-2

User: dbas
Form ID: 149

Page 2 of 3
Total Noticed: 68

Date Rcvd: Sep 08, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14249220 E-mail/PDF: creditonebkn notifications@resurgent.com Sep 09 2017 02:02:00 Credit One Bank,
PO Box 98872, Las Vegas, NV 89193-8872
14249222 E-mail/Text: notices@burt-law.com Sep 09 2017 02:01:08 Derek C. Blasker, Esquire,
1060 Andrew Dr Ste 170, West Chester, PA 19380-5601
14249223 E-mail/Text: bankruptcy.bnc@ditech.com Sep 09 2017 02:00:35 Ditech, PO Box 94710,
Palatine, IL 60094-4710
14318601 E-mail/Text: bankruptcy.bnc@ditech.com Sep 09 2017 02:00:35
Ditech Financial LLC fka Green Tree Servicing LLC, P.O. Box 6154,
Rapid City, SD 57709-6154
14236303 E-mail/Text: bankruptcynotice@fcbanking.com Sep 09 2017 02:00:31 First Commonwealth Bank,
PO Box 400, Indiana, PA 15701-0400
14249642 +E-mail/Text: bankruptcydpt@mcmcg.com Sep 09 2017 02:00:50 Midland Funding LLC,
PO Box 2011, Warren MI 48090-2011
14236307 E-mail/Text: bankruptcydpt@mcmcg.com Sep 09 2017 02:00:50 Midland Funding, LLC,
2365 Northside Dr Ste 300, San Diego, CA 92108-2709
14249234 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Sep 09 2017 02:02:03
Portfolio Recovery, 120 Corporate Blvd, Norfolk, VA 23502-4962
14297850 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Sep 09 2017 02:14:24
Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14249237 E-mail/PDF: gecsed@recoverycorp.com Sep 09 2017 01:55:21 Synchrony Bank - JCPenney,
PO Box 965007, Orlando, FL 32896-5007
14249238 E-mail/PDF: gecsed@recoverycorp.com Sep 09 2017 01:55:51 Synchrony Bank/Toys R Us,
PO Box 965001, Orlando, FL 32896-5001
14236312 E-mail/Text: lorir@utmapa.org Sep 09 2017 02:01:15 Unity Township Municipal Authority,
PO Box 506, Pleasant Unity, PA 15676-0506
TOTAL: 13

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr CITIMORTGAGE INC
cr Ditech Financial LLC
cr Ditech Financial LLC fka Green Tree Servicing LLC
cr LSF9 Master Participation Trust
cr NATIONSTAR MORTGAGE, LLC
cr Nationstar Mortgage LLC
cr PNC BANK, NATIONAL ASSOCIATION et al...
cr PNC Bank, National Association
cr* +First Commonwealth Bank, c/o Brett A. Solomon, Esquire, Tucker Arensberg, P.C.,
1500 One PPG Place, Pittsburgh, PA 15222-5413
14249217* Citimortgage, PO Box 6243, Sioux Falls, SD 57117-6243
14249228* Midland Funding, LLC, 2365 Northside Dr Ste 300, San Diego, CA 92108-2709
14261604* ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096
(address filed with court: Nationstar Mortgage LLC, P.O. Box 619096, Dallas, TX 75261-9741)
14365375* Tawnya Davis, 102 Campbell Avenue, Connellsville, PA 15425-2801
14249213 ##Charlene Schmitt, 310 N Liberty St, Blairsville, PA 15717-1322
14249225 ##Judy McIntire, 310 N Liberty St, Blairsville, PA 15717-1322
TOTALS: 8, * 5, ## 2

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court
immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 10, 2017

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: dbas
Form ID: 149

Page 3 of 3
Total Noticed: 68

Date Rcvd: Sep 08, 2017

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 8, 2017 at the address(es) listed below:

Brett A. Solomon on behalf of Creditor First Commonwealth Bank bsolomon@tuckerlaw.com,
agilbert@tuckerlaw.com;cabbott@tuckerlaw.com;dparanay@tuckerlaw.com
Elizabeth Lamont Wassall on behalf of Creditor PNC Bank, National Association
vbarber@udren.com
James Warmbrodt on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION et al...
bkgroup@kmlawgroup.com
James Warmbrodt on behalf of Creditor Nationstar Mortgage LLC bkgroup@kmlawgroup.com
James Warmbrodt on behalf of Creditor Ditech Financial LLC bkgroup@kmlawgroup.com
James Warmbrodt on behalf of Creditor Ditech Financial LLC fka Green Tree Servicing LLC
bkgroup@kmlawgroup.com
James A. Prostko on behalf of Creditor LSF9 Master Participation Trust pawb@fedphe.com,
james.prostko@phelanhallinan.com
Jeremy J. Kobeski on behalf of Creditor LSF9 Master Participation Trust pawb@fedphe.com
Jerome B. Blank on behalf of Creditor LSF9 Master Participation Trust pawb@fedphe.com
Jill Manuel-Coughlin on behalf of Creditor CITIMORTGAGE INC jill@pkallc.com,
chris.amann@pkallc.com;nick.bracey@pkallc.com;samantha.gonzalez@pkallc.com;harry.reese@pkallc.com
John F. Goryl on behalf of Creditor PNC Bank, National Association bkgroup@kmlawgroup.com
Joseph A. Dessoie on behalf of Creditor LSF9 Master Participation Trust pawb@fedphe.com
Joshua I. Goldman on behalf of Creditor Nationstar Mortgage LLC bkgroup@kmlawgroup.com
Joshua I. Goldman on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION et al...
bkgroup@kmlawgroup.com
Keri P. Ebeck on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION et al...
kebeck@weltman.com, jbluemle@weltman.com
Keri P. Ebeck on behalf of Creditor PNC Bank, National Association kebeck@weltman.com,
jbluemle@weltman.com
Matthew R. Schimizzi on behalf of Debtor Kuhns Real Estate Investments, LLC
mrs@schimizzilaw.com, G16143@notify.cincompass.com;lms@schimizzilaw.com;rws@schimizzilaw.com
Matthew R. Schimizzi on behalf of Joint Debtor Staci Ann Kuhns mrs@schimizzilaw.com,
G16143@notify.cincompass.com;lms@schimizzilaw.com;rws@schimizzilaw.com
Matthew R. Schimizzi on behalf of Debtor Derrik Anthony Kuhns mrs@schimizzilaw.com,
G16143@notify.cincompass.com;lms@schimizzilaw.com;rws@schimizzilaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company, LLC sjw@sjwpgh.com,
srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com
Sherri J. Braunstein on behalf of Creditor PNC Bank, National Association pa.bkecf@fedphe.com,
sherri.braunstein@phelanhallinan.com
Sherri J. Braunstein on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION et al...
pa.bkecf@fedphe.com, sherri.braunstein@phelanhallinan.com

TOTAL: 24